

Remarks/Arguments

This is in reply to the official action of August 26, 2005, the Notice of Non-Compliant Amendment dated January 27, 2006 and the Notice of Non-Compliant Amendment dated April 24, 2006.

Allowance of claim 14 and claims 15-22 that depend therefrom is noted with appreciation.

An indication that claim 2 contains allowable subject matter is also noted with appreciation. Claim 2 has been amended to place it in independent form and is thus now allowable.

The indication that claims 23-29 also contain allowable subject matter is also noted with appreciation.

Claims 3 and 23-29 have been objected to because of informalities related to antecedent basis. These claims have now been amended to overcome all of these objections.

Claim 1 has been rejected under 35 U.S.C. 102 as being anticipated by U.S. Patent 6,235,014 to Abe et al. This rejection is improper and should be withdrawn.

Original claim 1 requires a “central display **integrated into the stand base portion**” where the “central display is used **to perform all settings of the microscope system**”. Abe et al. does not disclose or suggest these limitations. Further claim 1, as amended, requires that the “central display **can be used to perform a plurality of settings of the microscope within the**

microscope system, to call saved settings of the microscope within the microscope system and to receive warning messages or notifications from the microscope within the microscope system.

Abe et al does not disclose or suggest any such limitations or requirements.

Abe et al does not disclose or suggest a central display **integrated into the stand base portion**. The display of Abe et al. has a display (control panel 3) integrated into a laser oscillator **1 not into a stand base portion as has always been required by claim 1**. For this reason alone the rejection under 35 U.S.C. 102 must be withdrawn since each and every limitation of the claim must be disclosed in the reference for such an anticipation rejection under 35 U.S.C. 102 to be proper. Further, there is no suggestion at all of incorporating a central display into a stand base portion of a microscope system. In addition there is no disclosure or suggestion of “**a central display is used to perform all settings of the microscope system**” as originally presented and certainly not “**to perform a plurality of settings of the microscope within the microscope system**” as presented in claim 1 as amended.

The control panel of Abe et al does not appear to be directed to controlling any functions of a microscope and certainly **not a plurality of such microscope functions**. Rather, the control panel of Abe et al is directed to controlling laser treatment energy for laser eye surgery and there appears to be no suggestion of any control of microscope function. The control panel of Abe et al. can in no way be used to control “a plurality” of the functions of a microscope and no such display having such ability is remotely suggested.

It should be further pointed out that new claim 31, depending from claim 1, requires that the plurality of settings that can be performed include at least one of objective selection and

secondary magnification. There is absolutely no suggestion in Abe et al of any display or control capable of performing either of such settings and certainly not in conjunction with other microscopic functions.

The rejections should be withdrawn, claims 1, 3 and 31 should be allowed and claims 4-13 depending from claim 1 should be rejoined and also allowed.

Conclusion

Applicant therefore respectfully submits that all pending claims are now in condition for allowance, which action is courteously requested.

Respectfully submitted,



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